

Appln. No.: 09/431,737
Docket No.: 41PR-7349/GEN-96-1165-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 DEC 21 AM 10:24

Appln. No.: 09/431,737 : Confirmation No.:
Applicant: DON WHITEHEAD et al. : Group Art Unit: 2121
Filed: November 1, 1999 : Examiner: Pham, Thomas K.
Serial No.: 41PR-7349/GEN-96-1165-A :

AN MACHINE INTERFACE FOR POWER MANAGEMENT CONTROL SYSTEMS

December 16, 2004

REQUEST FOR REFUND

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Refund Section, Accounting Division, Office of Finance

Sir:

In accordance with 37 CFR 1.26(b), Applicants respectfully request a refund of the fees in the amount of \$770.00, which were charged to Deposit Account No. 06-1130 on October 26, 2004.

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop 16, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, or ~~facsimile transmitted to~~ to the United States Patent and Trademark Office on the date shown below.

below.

K. Lawrence
Name

K. Lawrence
Signature

12/16/04
Date

On November 1, 1999, Applicant filed the instant application without the basic filing fee.

On June 2, 2000, Applicant filed a Response to Missing Parts, including a check in the amount of \$2,250.00, which included the Basic Filing Fee of \$760. A copy of the check and Transmittal Form is attached hereto as Exhibit A.

On June 16, 2003, Applicant filed a Request for Continued Examination (RCE) with a check in the amount of \$750 for the RCE fee. A copy of the check and the Transmittal Form is attached hereto as Exhibit B.

On October 26, 2004 Deposit Account No. 06-1130 was charged an additional \$770.00 for a Basic Filing Fee. A copy of the Deposit Account Statement dated October 27, 2004 is attached as Exhibit C.

In view of the foregoing Exhibits A, B and C evidencing of an overpayment in the amount of a filing fee, Applicant respectfully requests a refund in the amount of \$770.00 be credited to Deposit Account No. 06-1130.

Respectfully submitted,
CANTOR COLBURN LLP
Applicant's Attorneys

By: 

David Arnold
Registration No: 48,894
Customer No. 23413

Address: 55 Griffin Road South, Bloomfield, Connecticut 06002
Telephone: (860) 286-2929
Fax: (860) 286-0115

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
41PR-7349

In Re Application Of: **WHITEHEAD ET AL.**

Serial No.
09/431,737

Filing Date
November 11, 1999

Examiner

Group Art Unit
2772

Invention: **MAN MACHINE INTERFACE FOR POWER MANAGEMENT CONTROL SYSTEMS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
December 2, 1999
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

Petition Rule 47(a) with attachments

Exhibit
A

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
41PR-7349

In Re Application Of: **WHITEHEAD ET AL.**

Serial No.
09/431,737

Filing Date
November 11, 1999

Examiner

Group Art Unit
2772

Invention: **MAN MACHINE INTERFACE FOR POWER MANAGEMENT CONTROL SYSTEMS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

☒ Completion of application fees as calculated below:

☒ Utility application filing fee

\$760.00

☐ Design application filing fee

☒ Total number of independent claims = 2

☒ Total number of claims = 11

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath

\$130.00

☐ Petition and fee for filing by other than all the inventors or a person not the invention

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

Total completion of application fees \$890.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☒ Four months ☐ Five months

from: December 2, 1999 until: June 2, 2000
Date Date

Total time extension fees \$1,360.00

Total fees due \$2,250.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

DIVISION
Docket No.
41PR-7349

In Re Application Of: **WHITEHEAD ET AL.**

2001 DEC 21 AM 10:24

Serial No.
09/431,737

Filing Date
November 11, 1999

Examiner

Group Art Unit
2772

Invention: **MAN MACHINE INTERFACE FOR POWER MANAGEMENT CONTROL SYSTEMS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of **\$2,250** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **06-1130**
A duplicate copy of this sheet is enclosed.

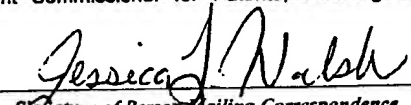

Signature

Dated: **June 2, 2000**

Leonard E. Heymond
Reg. No. 40,418
Cantor Colburn LLP
55 Griffin Road South
Bloomfield, CT 06002

CC:

I certify that this document and fee is being deposited on 6/2/00 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of Person Mailing Correspondence

Jessica L. Walsh

Typed or Printed Name of Person Mailing Correspondence

GEN 96-1165B

Applicant: Whitehead et al.

Ser. No. 09/431,737

Filed: November 1, 1999

For: MAN MACHINE INTERFACE FOR POWER MANAGEMENT
CONTROL SYSTEMS

Notice To File Missing Parts (1 page); Response (3 pages);
Petition Under 37 CFR 1.47(a) (2 pages); Declaration
(5 pages); Submission of Declaration (2 pages); Petition
attachments (36 pages); filing fee - \$2250.00 - check

Mailed to the U.S. Patent and Trademark Office, Box
Missing Parts via first class mail on June 2, 2000.

Received in the USPTO on:

2000 JUN 21 11:03:24

844444 897 :1150061101 :11212120 :
GEN-96-1165A

TO THE
ORDER
OF

COMMISSIONER OF PATENTS AND
TRADEMARK OFFICE

06/02/00 ***** \$2,250.00

PAY TWO THOUSAND TWO HUNDRED FIFTY AND XX / 100 DOLLARS

00021214

21214

FLEET BANK, N.A.
HARTFORD, CT

51-57/119

CANTOR COLBURN LLP
INTELLECTUAL PROPERTY ATTORNEYS
88 DAY HILL ROAD
WINDSOR, CT 06095

Security Features. Details on back.

AUTHORIZED SIGNATURE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Application Number	09/431,737
Filing Date	November 1, 1999
First Named Inventor	Don Whitehead
Art Unit	2121
Examiner Name	T. Pham
Attorney Docket Number	41PR-7349/96-1165A

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such
 - a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. ☐ Other _____
 - b. ☒ Enclosed
 - i. ☐ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☒ Information Disclosure Statement (IDS)
 - iv. ☐ Other _____
2. **Miscellaneous**
 - a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 - a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1130
 - i. ☐ RCE fee required under 37 CFR 1.17(e)
 - ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. ☐ Other _____
 - b. ☒ Check in the amount of \$ 750.00 enclosed
 - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

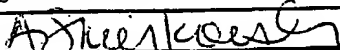
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	David Arnold	Registration No. (Attorney / Agent)	48,894
Signature		Date	June 16, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Agatha Sklerkowski	Date	June 16, 2003
Signature			

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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Exhibit
B

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10/25 2 09550432	GEN-0183	1801	\$770.00	\$6,231
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10/26 59 E-REPLENISHMENT		9203	-\$10,000.00	\$12,86
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10/26 96 10971324	KOT-0124	1001	\$790.00	\$11,75
10/26 100 10971328	KOT-0123	1001	\$790.00	\$10,96
10/26 105 10971318	LEE-0010	1001	\$790.00	\$10,17
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10/26 459 10512112	21C-0165	8021	\$20.00	\$10,11
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10/27 8 10392056	FAO-0092	2253	\$475.00	\$9,771
10/27 8 10317909	KAW-0021	1251	\$110.00	\$9,661

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Exhibit
C

PTO/SO/30 (03-03)

Approved for use through 4/30/2003 OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/431,737
Filing Date	November 1, 1999
First Named Inventor	Don Whitehead
Art Unit	2121
Examiner Name	T. Pham
Attorney Docket Number	41PM-734976-1165A

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 - ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ☐ Other _____
 - ☒ Enclosed
 - ☐ Amendment/Reply
 - ☐ Affidavit(s)/Declaration(s)
 - ☒ Information Disclosure Statement (IDS)
 - ☐ Other _____

- Miscellaneous**
 - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - ☐ Other _____

- Fees** The RCE fee under 37 CFR 1.17(o) is required by 37 CFR 1.114 when the RCE is filed.
 - ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1130
 - ☐ RCE fee required under 37 CFR 1.17(e)
 - ☐ Extension of time fee (37 CFR 1.136 and 1.17)
 - ☐ Other _____
 - ☒ Check in the amount of \$ 750.00 enclosed
 - ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	David Arnold	Registration No. (Attorney/Agent)	48,594
Signature		Date	June 16, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Arathia Skierkowski
Signature	
Date	June 16, 2003

This collection of information is required by 37 CFR 1.9. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FILES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-6100 (1-800-760-6100) and select option 2.

Adjustment date: 01/26/2005 SDIRETA1
10/26/2004 CBARNES1 00000002 061130 09431737
01 FC:1801 770.00 CR

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CANTOR COLBURN LLP

35911

VENDOR ID	PTO		NUMBER	35911	DATE	06/16/03
PAYEE	Commissioner of Patents and		MEMO	Account#		
INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	PREVIOUS PAY/CREDIT	DISCOUNT TAKEN	AMOUNT OF PAYMENT	
GEN-96-1165A					2003 JUN 21 AM 10:25	
				TOTAL	*****750.00	

CANTOR COLBURN LLP
 INTELLECTUAL PROPERTY ATTORNEYS
 55 GRIFFIN ROAD SOUTH
 BLOOMFIELD, CT 06002

FLEET

51-57/119

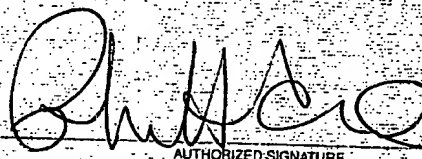
35911
 35911

***** Seven Hundred Fifty & 00/100 Dollars

Commissioner of Patents and
 Trademark Office
 GEN-96-1165A

DATE
 06/16/03

AMOUNT
 *****750.00


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Security features. Details on back.

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